

Board of Firefighting Personnel Standards and Education Minutes

**WAYNE TWP. FIRE DEPARTMENT
700 N. HIGH SCHOOL ROAD
INDIANAPOLIS, IN
MARCH 29, 2004
10:00 a.m.**

A. Pursuant to IC 22-12-3-6, the regular scheduled meeting of the Board of Firefighting Personnel Standards & Education convened at 10:00 a.m. with Chairperson Patrick Donoghue presiding:

a. The following Board Members were present:

M. Tracy Boatwright
Bernice Clark
Patrick Donoghue
Thomas Hanify, arr 10:05
Jack Kerney
Tom Loraine
Jerry Nulliner
Darrick Scott

b. The following Board Members were absent:

Paul Covnington
Charles (Don) Hall
Patrick Ralston

c. Also Present

Harold McCard, New Haven Twp. F.D.
L.E. "Buzz" Koehler, IVFA President
Maynard Masters, Emergency Books
Bill Teegarden, Administrative Law Judge
Ivan Nevil, Administrator Fire Academy
James Schneider, PSTI TO
Randy Wood, PSTI TO
Mara Snyder, Counsel
Marilyn Burgess, Program Coordinator

B. Roll Call and Introduction of Guests

Roll Call was taken with a quorum of eight

C. Minutes February 23, 2004; Board Meeting; Statistical Report February 2004

Tom Loraine made a motion to approve the February Board Minutes as printed and distributed. Jerry Nulliner seconded the motion. Motion carried. tom Loraine made a motion to approve the February 2004 Statistical report as printed and distributed. Darrick Scott seconded the motion. Motion carried.

D. Variances, Hearings and Appeals

a. **Brian Mosley** requested a review of an appeal made to the Board on a decision that was made by PSTI on his passing of a Firefighter I/II test taken last year. Details were explained to the Board surrounding the questions of the test being taken and not returned in a timely fashion as required by Board rules.

Tom Loraine made a motion to send a letter to all of the students in the class, explaining that the test was never graded due to the Proctor turning the test in late and they will now have to follow the appeals process. Marshal Boatwright seconded the motion. Motion carried. In addition Tom Loraine made a motion to direct PSTI to send a letter of censure to the proctor and lead evaluator for their failure to comply with procedure in returning test materials. Jack Kerney seconded the motion. Motion carried.

b. **James McNair a member of the Indianapolis Fire Department**, requested a variance to 655 IAC 1-2.1-10 FO III, based upon having completed and receiving an Associate Degree in Applied Fire Science in Public Safety Technology from Ivy Tech State College.

Jerry Nulliner made a motion to approve the variance to 655 IAC 1-2.1-10 FO III on staff recommendation. Tom Loraine seconded the motion. Motion carried.

c. **Vince Oakley, a member of the Evansville F.D.** requested a variance to 655 IAC 1-2.1-19 Instructor I and 655 IAC 1-2.1-20 Instructor II/III based upon having completed and receiving a State of Indiana Teachers License.

Tom Loraine made a motion to grant the variances on staff recommendation with the condition that if he ever desires IFSAC accreditation he must take the Indiana written and practical tests. Don Hall seconded the motion. Motion carried.

d. **Craig Morris** requested a review of a decision that was made by PSTI on his passing of a Firefighter I/II test taken last years. Details were explained to the Board surrounding the question of the test being take and not returned in a timely fashion as required by Board rules.

The procedure will be followed as directed in the response to Brian Mosley.

e. **Chad Hooten a member of the St. Joe Co. Airport Authority Department of Public Safety** requested a variance to 655 IAC 1-2.1-19 Instructor I based upon having completed and receiving a certificate from the Indiana Law Enforcement Academy.

Tom Loraine made a motion to grant the variances on staff recommendation. Jerry Nulliner seconded the motion. Paul Covington stated that he has been in contact with Kentucky and they are very concerned about Indiana granting reciprocity to Kentucky firefighters without the firefighter having an IFSAC seal. After some discussion Tom Loraine withdrew his motion and Jerry Nulliner withdrew his second to approve the variance.

Jack Kerney made a motion to approve the variance to 655 IAC 1-2.1-19 Instructor I. With the condition that if Chad ever desires IFSAC certification, he must take the Indiana written and practical test. Darrick Scott seconded the motion. Motion carried

f. **Mark Elder, a member of the Fishers F.D.** requested a variance to 655 IAC 1-2.1-12 FO IV based upon having completed and receiving a Bachelors Degree in Fire Safety Engineering from the University of Cincinnati.

Jack Kerney made a motion to grant the variance to 655 IAC 1-2.1-12 FO IV. Tom Loraine seconded the motion. Motion carried

g. **Scott Cassin, a member of the White River Twp. FD in Johnson Co.** requested a variance to 655 IAC 1-2.1-11 FO III based upon having completed and receiving a Bachelor of Science Degree from Indiana Wesleyan University. He has also listed his job duties and responsibilities as part of the reason for the request for a variance.

Tom Loraine made a motion to grant the variance to 655 IAC 1-2.1-11 FO III. Tom Hanify seconded the motion. Jerry Nulliner and Jack Kerney opposed the motion. Motion carried with a show of hands with six Board members voting yes and 2 opposed.

h. **David Ross, a member of the Shipshewana F.D.** requested a variance to 655 IAC 1-2.1-4 FF I based upon having received the training and certification in the State of Michigan.

Jerry Nulliner made a motion to approved the variance to 655 IAC 1-2.1.4 FFI based on staff recommendation with the condition that if he ever desires IFSAC certification he must take the Indiana written and practical test. Jack Kerney seconded the motion. Motion carried.

E. Report by Patrick Ralston, Executive Director, SEMA/DFBS/PSTI

None at this time

F. State Fire Marshal Report M. Tracy Boatwright

Marshal Boatwright reported that Director Ralston has retired and his last day of employment was March 31, 2004. Luther J. Taylor, Sr. is the new Executive Director. He will officially take the Executive Director position April 5, 2004. < Marshal?s Fire the under regulated be will blasters of certification This Indiana. state in construction and

aggregate regulate that adopted Rules Governor. by signed was passed #1072 Bill House>

The indoor pyrotechnics language from Senate Bill #328 wound up in House Bill #1019 and was signed into law by the Governor

The Fire Marshal has a new Child-care Supervisor-John Haines

The Fire Marshal's office is waiting on the Court of Appeals to rule on fireworks laws.

G. Public Safety Training Institute Report Ivan Nevil

The PSTI staff has been busy doing a lot of Haz Mat training.

Randy Wood and Ivan are going to IFSAC Conference in Oklahoma City the week of April 20, 2004.

H. Administrative Proceedings - None at this time

I. Old Business

- a. **IFSAC** - Ivan said the rules should be in place by June for the IFSAC reaccreditation visit. The 2005 IFSAC Conference will be in Indianapolis, IN 2005.
- b. **House Bill #1106** - The Fire Marshal stated that the person they had lined up to make the video may not be able to participate because of an ethics issue. The video may have to be put out for bids.
- c. **Certification Task Force** - Tom Loraine - TThe task force is out there working. A survey they mailed out is due back in by the end of April.
- d. **Rules**- Mara Snyder - At this time Mara is looking at updating NFPA's, cleaning up requirements for lead evaluators and proctors, fixing the reciprocity language, including the Incident Manager certification, adding prerequisites of Haz Mat Awareness, Haz Mat Operations and Haz Mat Technician to #1670 for each certification, adding a Strategy and Tactics certification, and adding an update for Instructor reciprocity.

J. New Business

- a. Discussion on 6 hour update for an Instructor seeking variances - The Board directed Mara Snyder to draft language that will cover Instructors seeking reciprocity to take a competency test that will cover Indiana Rules and Regulations.
- b. Letter from Randy Wilkening explaining delay of return of test materials for Firefighter I/II. - As previously stated by the Board, Randy Wilkening as proctor and also his evaluator on the test will be sent a letter of censure for the delay in returning testing materials.
- c. NIMS certification - Maynard Masters - Maynard presented material from the Federal Government requiring each state to have a NIMS System. He requested that the

Board create a task force to deal with the requirements for this certification. Mara Snyder will put together proposed rules for a certification that will create an Incident Manager certification

Tom Loraine made a motion that a task force be created with the addition of Patrick Donoghue as a representative from the BFFPS&E and also add a member of PSTI staff to put together language to create an Incident Manager Certification Program. Language is to be sent to Mara before May 10 Board Meeting. Jack Kerney seconded the motion. Motion carried.

d.Haz Mat Course Investigation - Ivan Nevil - Ivan stated that he wanted to keep the Board apprised of an on going investigation into a fire department that has a promotion process going on. He stated that one of our staff visited the practical skills site and found that no practicals were being given. When two more listed sites were investigated the same thing came back as no practicals were being held. There is also an investigation as to whether an open book test was given for the written test. Results of the investigation will be given to the Board at the May 10, 2004 meeting.

K. **Adjournment**

There being no further business, the chairperson declared the meeting adjourned at 11:12 a.m.